

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

DANIEL AZCONA,

Plaintiff

v.

STATE OF NEW JERSEY,

Defendant

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Civ. No. 21-17123 (RMB/AMD)

OPINION

This matter comes before the *sua sponte*, upon the return of legal mail sent by the Clerk of Court to Plaintiff Daniel Azcona’s last known address. (Dkt. No. 3.) The returned mail shows that Plaintiff is no longer present at Camden County Correctional Facility in Camden, New Jersey.

I. DISCUSSION

Local Civil Rule 10.1(a) provides, in relevant part:

unrepresented parties must advise the Court of any change in their . . . address[es] within seven days of being apprised of such change by filing a notice of said change with the Clerk. Failure to file a notice of change may result in the imposition of sanctions by the Court.

Dismissing a complaint without prejudice is an appropriate remedy for noncompliance with this rule. See Archie v. Dept. of Corr., Civ. No. 12-2466 (RBK/JS), 2015 WL 333299, at *1 (D.N.J. Jan. 23, 2015) (collecting cases). On September 17, 2021, Plaintiff filed a pro se prisoner civil rights complaint, which was reassigned to this Court on October 25, 2021. Legal mail sent from the Court to Plaintiff, prior to this Court’s screening of the complaint pursuant to 28 U.S.C. § 1915(e)(2)(B), § 1915A(b) or 42 U.S.C. § 1997e(c)(1), was returned because

Plaintiff is no longer incarcerated at Camden County Correctional Facility. Plaintiff has not provided the Court with a notice of his change of address.

II. CONCLUSION

The Court will dismiss this Complaint without prejudice pursuant to Local Civil Rule 10.1(a), subject to reopening upon good cause shown with Plaintiff's notice of his new address.

An appropriate order follows.

Dated: February 23, 2022

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE